

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

SUE MI TERRY,

Defendant.

Any opposition to this motion shall be filed  
by **March 21, 2025**.

Dated: March 7, 2025  
New York, New York

No. 1:24-cr-00427-LGS



LORNA G. SCHOFIELD  
UNITED STATES DISTRICT JUDGE

**MOTION OF THE KNIGHT FIRST AMENDMENT INSTITUTE  
AT COLUMBIA UNIVERSITY AND AMERICAN CIVIL LIBERTIES UNION FOR  
LEAVE TO FILE AMICUS CURIAE BRIEF**

The Knight First Amendment Institute at Columbia University and the American Civil Liberties Union (“ACLU”) (together, “Prospective Amici”) respectfully request leave of this Court to file the attached amicus curiae brief in support of Defendant Sue Mi Terry in the above-captioned case. Defense counsel consents to the filing of this motion. The Government opposes the motion.

Although the Federal Rules of Criminal Procedure are silent on the standard for permitting the submission of amicus curiae briefs in federal district court, this Court has “broad discretion to permit or deny the appearance of amici curiae in a given case.” *Micula v. Gov’t of Rom.*, No. 15 Misc. 107, 2015 WL 4643180, at \*1 (S.D.N.Y. Aug. 5, 2015) (Schofield, J.) (quoting *United States v. Yaroshenko*, 86 F. Supp. 3d 289, 290 (S.D.N.Y. 2015)). “[A]n amicus brief should normally be allowed when . . . the amicus has unique information or perspective that can help the court beyond the help that the lawyers for the parties may be able to provide.” *Auto. Club of N.Y., Inc. v. Port Auth. of N.Y. & N.J.*, 11 Civ. 6746 (RJH), 2011 WL 5865296, at \*2 (S.D.N.Y. Nov. 22, 2011)